



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of	Klauder, Louis T., Jr.
International Application No.	PCT/US2004/012582
US Application No.	10/553,889
US Filing Date	2005_10_21
Title of Patent Application	Use of K-Spiral, Bend, Jog, and Wiggle Shapes in Design of Railroad Track Turnouts and Crossovers
Response to Office Action	Dated 2008_09_11 by Robert J McCarry Jr
Date of this petition	2008_12_05

Response to Examiner Comments and Request for Amendments

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

To the Examiner:

a.) Introductory Comments

In response to DETAILED ACTION – Drawings: I have attempted to correct the identified deficiencies as shown in section **b) Amendments to the Specification** below.

In response to DETAILED ACTION – Claim Objections: I have attempted to correct the identified deficiency by amending Claims 1, 4, 5, 6, and 7 as set forth in section **c) Amendments to the Claims** below.

In response to DETAILED ACTION – Claim Rejections – 35 USC § 112, I try to explain in section **d) Remarks** below that when taken together with my underlying patent US 7,206,727 the claims do distinctly claim what I consider to be the subject matter of the invention.

In response to DETAILED ACTION – Claim Rejections – 35 USC § 102, I try to explain in section **d) Remarks** below that while the Watanabe et al patent cited and my application both deal with concepts for design of railroad track turnouts and both include some form of superelevation in the diverging route of the turnout, the Watanabe et al patent and my application do not have any overlap as regards mechanical details or as regards the specific shape and superelevation of the diverging route.

In response to your DETAILED ACTION – Conclusion: You state that Patent US 6,257,494 by Tokuoka et al is considered pertinent to my application. In section **d) Remarks** below I try to explain that that patent and my application propose totally different solutions to totally different problems.

Respectfully submitted,

KLAUDER, LOUIS T., Jr., The applicant,

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